



**GLENN HEGAR** TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

P.O. Box 13528 • Austin, TX 78711-3528

November 7, 2016

**REVISED RECOMMENDATION**

Shawn Mason  
Superintendent  
Crosbyton Consolidated Independent School District  
204 S. Harrison  
Crosbyton, Texas 79322

Re: Amended Recommendation for Limitation on Appraised Value of Property for School District Maintenance and Operations Taxes by and between Crosbyton Consolidated Independent School District and Wake Wind Energy, LLC, Application 308

Dear Superintendent Mason:

On August 21, 2013, the Comptroller received the completed application (Application 308) for a limitation on appraised value under the provisions of Tax Code Chapter 313<sup>1</sup>. This application was originally submitted in June 2013 to the Crosbyton Consolidated Independent School District (the school district) by Wake Wind Energy, LLC (the applicant).

At the time of application, the school district was classified as a rural school district in Category 3 according to the provisions of Chapter 313. Therefore, the applicant properly applied under the provisions of Subchapter C, applicable to rural school districts.

On October 17, 2016, the Comptroller received an amendment to the application to:  
(a) decrease the number of turbines and corresponding megawatts

The Comptroller's recommendation is based on the amended application submitted by the school district and reviewed by the Comptroller. The recommendation may not be used by the school district to support its approval of the amended property value limitation agreement if the amended application is modified, the information presented in the amended application changes, or the amended limitation agreement does not conform to the amended application. Additionally, this recommendation is contingent on future compliance with the Chapter 313 and the Texas Administrative Code, with particular reference to the following requirements related to the execution of the agreement:

- 1) The applicant must provide the Comptroller a copy of the proposed amended limitation on appraised value agreement no later than ten (10) days prior to the meeting scheduled by the school district to consider approving the agreement, so that the Comptroller may review it for compliance with the statutes and the Comptroller's rules as well as consistency with the application;

<sup>1</sup> All statutory references are to the Texas Tax Code, unless otherwise noted.

- 2) The Comptroller must confirm that it received and reviewed the draft amended agreement and affirm the recommendation made in this letter;
- 3) The school district must approve and execute an amended limitation agreement that has been reviewed by the Comptroller; and
- 4) The school district must provide a copy of the signed amended limitation agreement to the Comptroller within seven (7) days after execution, as required by Section 313.025.

Should you have any questions, please contact Will Counihan, Director, Data Analysis & Transparency, by email at [will.counihan@cpa.texas.gov](mailto:will.counihan@cpa.texas.gov) or by phone toll-free at 1-800-531-5441, ext. 6-0758, or at 512-936-0758.

Sincerely,



Mike Reissig  
Deputy Comptroller

Enclosure

cc: Will Counihan

**Economic Impact for Chapter 313 Project**

Applicant	Wake Wind Energy, LLC
Tax Code, 313.024 Eligibility Category	Renewable Energy Electric Generation
School District	Crosbyton CISD
2011-12 Enrollment in School District	408
County	Crosby
Total Investment in District	\$189,670,663
Qualified Investment	\$164,931,011
Limitation Amount	\$10,000,000
Number of total jobs committed to by applicant	10*
Number of qualifying jobs committed to by applicant	8
Average Weekly Wage of Qualifying Jobs committed to by applicant	\$937
Minimum Weekly Wage Required Tax Code, 313.051(b)	\$712
Minimum Annual Wage committed to by applicant for qualified jobs	\$48,700
Investment per Qualifying Job	\$23,708,833
Estimated 15 year M&O levy without any limit or credit:	\$13,220,183
Estimated gross 15 year M&O tax benefit	\$8,460,449
Estimated 15 year M&O tax benefit ( <i>after</i> deductions for estimated school district revenue protection--but not including any deduction for supplemental payments or extraordinary educational expenses):	\$6,770,507
Tax Credits (estimated - part of total tax benefit in the two lines above - appropriated through Foundation School Program)	\$0
Net M&O Tax (15 years) After Limitation, Credits and Revenue Protection:	\$6,449,676
Tax benefit as a percentage of what applicant would have paid without value limitation agreement (percentage exempted)	51.2%
Percentage of tax benefit due to the limitation	100.0%
Percentage of tax benefit due to the credit	0.0%
* Applicant is requesting district to waive requirement to create minimum number of qualifying jobs pursuant to Tax Code, 313.025 (f-1).	